

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON APPROPRIATIONS**

**Call to Order:** By Vice Chairman Janna Taylor, on March 13, 2007  
at 8:06 A.M., in Room 102 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Eve Franklin, Vice Chairman (D)  
Rep. Janna Taylor, Vice Chairman (R)  
Rep. Bill Beck (R)  
Rep. Tim Callahan (D)  
Rep. Edith Clark (R)  
Rep. Bill E. Glaser (R)  
Rep. Ray Hawk (R)  
Rep. Cynthia Hiner (D)  
Rep. Galen Hollenbaugh (D)  
Rep. Joey Jayne (D)  
Rep. Dave Kasten (R)  
Rep. Bill McChesney (D)  
Rep. Penny Morgan (R)  
Rep. John L. Musgrove (D)  
Rep. Rick Ripley (R)  
Rep. Jon C. Sesso (D)  
Rep. Jack Wells (R)  
Rep. Craig Witte (R)

**Members Excused:** Rep. John Sinrud, Chairman (R)

**Members Absent:** None.

**Staff Present:** Linda Keim, Committee Secretary  
Jon Moe, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 630, HB 790, HB 644, HB 330, HB  
401, HB 556, HB 637, HB 667, HB 719,  
HB 734, HB 740, HB 569, HB 304, HB  
354, 3/9/2007

Executive Action: None

**HEARING ON HB 630**

**Opening Statement by Sponsor:**

00:02:13 Rep. Dave Gallik (D), HD 79, opened the hearing on HB 630, Restrict internet phishing.

**Proponents' Testimony:**

00:04:18 Amy Grmoljez, Montana Bankers Association

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:04:58 Rep. Gallik

**HEARING ON HB 790**

**Opening Statement by Sponsor:**

00:05:26 Rep. Llew Jones (R), HD 27, opened the hearing on HB 790, Revise unemployment insurance contribution rates and administrative assessments.

**Proponents' Testimony:**

00:09:22 Riley Johnson, National Federation of Federated Business; also representing John Barrows, Federated Newspaper Association

**Opponents' Testimony:** None

**Informational Testimony:**

00:10:12 Roy Mulvaney, Administrator, Unemployment Insurance Program

**Questions from Committee Members and Responses:**

00:11:07 Rep. Beck  
00:11:30 Mr. Jones  
00:12:12 Rep. Wells  
00:12:52 Rep. Jones

00:14:21 Rep. Witte

00:16:05 Rep. Jones

**Closing by Sponsor:**

Rep. Llew Jones

**HEARING ON HB 330**

**Opening Statement by Sponsor:**

00:17:50 Rep. Bob Bergren (D), HD 33, opened the hearing on HB 330, Clean and renewable energy bonding.

**Proponents' Testimony:**

00:19:07 John Fitzpatrick, Northwestern Energy

00:21:51 Pat Torgerson, Women Involved In Farm Economics (WIFE)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:22:36 Rep. Bergren

**HEARING ON HB 401**

**Opening Statement by Sponsor:**

00:22:53 Rep. Dan Villa (D), HD 86, opened the hearing on HB 401, Revise laws relating to water and wastewater treatment plant operators.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:23:37 Rep. Villa

**HEARING ON HB 644**

**Opening Statement by Sponsor:**

00:23:52 Rep. Jon Sonju (R), HD 7, opened the hearing on HB 644,  
Revise net operating loss to conform to federal law.

**Proponents' Testimony:**

00:25:32 Holly Franz, Montana Society of CPAs

**Opponents' Testimony:** None

**Informational Testimony:**

00:27:07 Brian Stahley, Corporate Tax Unit Manager, Department  
of Revenue

**Questions from Committee Members and Responses:**

00:27:32 Rep. Jayne  
00:28:01 Rep. Sonju  
00:29:07 Rep. Sonju  
00:29:23 Rep. Jayne  
00:31:56 Mr. Stahley  
00:32:18 Rep. Taylor  
00:32:34 Mr. Stahley

**Closing by Sponsor:**

00:32:51 Rep. Sonju

**HEARING ON HB 556**

**Opening Statement by Sponsor:**

00:33:25 Rep. Bill McChesney (D), HD 40, opened the hearing on  
HB 556, Allow special fuel user to use dyed fuel under  
certain conditions.

**Proponents' Testimony:**

00:34:26 Gayle Abercrombie, Montana Contractors' Association

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:35:57 Rep. Witte

00:36:41 Rep. McChesney

**Closing by Sponsor:**

00:38:37 Rep. McChesney

**HEARING ON HB 637**

**Opening Statement by Sponsor:**

00:38:45 Rep. Harry Klock (R), HD 83, opened the hearing on HB 637, Provide income tax exemption for military service.

**Proponents' Testimony:**

00:39:49 Roger Hagan, National Guard Officer and Enlisted Associations of Montana

[EXHIBIT \(aph53a01\)](#)

**Opponents' Testimony:** None

**Informational Testimony:**

00:45:04 Brian Olson, Income Tax Specialist, Department of Revenue

**Questions from Committee Members and Responses:**

00:45:24 Rep. Wells

00:46:00 Mr. Olson

00:46:55 Rep. Witte

00:47:32 Rep. Klock

00:48:43 Rep. Witte

00:48:51 Mr. Olson

**Closing by Sponsor:**

00:49:15 Rep. Klock

**HEARING ON HB 667**

**Opening Statement by Sponsor:**

00:49:36 Rep. Jesse O'Hara (R), HD 18, opened the hearing on HB 667, Funding for Lewis and Clark tourism site endowments.

**Proponents' Testimony:**

00:51:25 Rep. Bill Nooney  
00:51:45 Charles Brooks, Billings, Yellowstone County  
Commissioners; Yellowstone Lewis and Clark Commission  
00:52:41 Jay Russell, Executive Director, Lewis and Clark  
Interpretive Center  
00:53:42 Loren Flynn, Executive Directive, Travelers Rest  
Preservation and Heritage Association, Lolo

**EXHIBIT** (aph53a02)

**Opponents' Testimony:** None

**Informational Testimony:**

00:55:00 Richard Sims, Director, Montana Historical Society

**Questions from Committee Members and Responses:**

00:56:08 Mr. Moe  
00:57:42 Mr. Russell  
00:58:11 Mr. Moe  
00:58:27 Rep. O'Hara  
00:58:37 Rep. Witte  
00:58:42 Rep. Wells  
00:59:54 Mr. Moe  
01:00:19 Rep. Kasten  
01:01:34 Rep. O'Hara  
01:01:49 Mr. Russell  
01:02:43 Rep. Sesso  
01:04:38 Mr. Sims  
01:05:16 Mr. Moe

**Closing by Sponsor:**

01:05:44 Rep. O'Hara

**HEARING ON HB 719**

**Opening Statement by Sponsor:**

01:06:05 Rep. Franke Wilmer (D), HD 64, opened the hearing on HB 719, Child and dependent care tax credit.

[EXHIBIT\(aph53a03\)](#)

[EXHIBIT\(aph53a04\)](#)

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:**

01:12:41 Brian Olson, Department of Revenue

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

01:13:05 Rep. Wilmer

**HEARING ON HB 734**

**Opening Statement by Sponsor:**

01:13:53 Rep. Dave McAlpin (D), HD 94, opened the hearing on HB 734, Critical funding for community mental health.

**Proponents' Testimony:**

01:16:56 Kathy McGowan, Montana County Attorneys Association; Montana Sheriffs and Peace Officers Association

01:18:54 Anita Roessmann, Montana Advocacy Program

01:22:38 Charles Brooks, Board of County Commissioners, Yellowstone County

01:23:21 Gloria Hermanson, Clinical Mental Health Counselors

01:23:44 Cheryl Wood, Associate Director, Montana Association of Counties (MACo)

**Opponents' Testimony:** None

**Informational Testimony:**

01:24:21 Bob Mullen, Department of Public Health and Human Services, Addictive Mental Illness Services Division

**Questions from Committee Members and Responses:**

01:24:52 Rep. Kasten  
01:26:20 Ms. McGowan  
01:28:48 Rep. Hawk  
01:31:41 Ms. McGowan

**Closing by Sponsor:**

01:33:04 Rep. McAlpin  
  
01:33:48 Break  
01:49:26 Resume

**HEARING ON HB 740**

**Opening Statement by Sponsor:**

01:49:45 Rep. Alan Olson (R), HD 45, opened the hearing on HB 740, State purchase of military headstones.

[EXHIBIT](#) (aph53a05)

**Proponents' Testimony:**

01:51:56 Roger Hagan, Montana National Guard Officer Enlisted Associations  
01:53:06 Cheryl Wood, Associate Director, Montana Association of Counties (MACo)

[EXHIBIT](#) (aph53a06)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:54:06 Rep. Morgan  
01:54:24 Rep. Olson

**Closing by Sponsor:**

01:54:44 Rep. Olson

**HEARING ON HB 569**

**Opening Statement by Sponsor:**

01:55:56 Rep. Diane Rice (R), HD 71, opened the hearing on HB 569, Generally revise nursery laws.



**Proponents' Testimony:**

01:58:07 Chris Wagner, Montana Nursery and Landscape Association

**Opponents' Testimony:** None

**Informational Testimony:**

01:59:10 Greg Ames, Administrator, Agricultural Science  
Division, Montana Department of Agriculture

**Questions from Committee Members and Responses:**

01:59:36 Rep. Morgan  
02:00:02 Mr. Ames

**Closing by Sponsor:**

02:00:52 Rep. Rice

**HEARING ON HB 304**

**Opening Statement by Sponsor:**

02:01:33 Rep. Kevin Furey (D), HD 91, opened the hearing on HB  
304, Create interim water policy committee.

**Proponents' Testimony:**

02:03:13 Rep. Taylor noted that Rep. McNutt expressed support  
but was unable to stay for the hearing  
02:03:17 John Tubbs, Department of Natural Resources and  
Conservation  
02:06:31 Sen. Verdell Jackson, SD 5  
02:09:38 Holly Franz, Pacific Power and Light (PPL Montana)  
02:11:11 Jeff Barber, Montana Environmental Information Center  
02:11:25 Bob Lane, Chief Legal Counsel, Montana Fish, Wildlife  
and Parks Department  
02:14:11 Pat Torgerson, Women Involved In Farm Economics (WIFE)  
02:14:36 Mike Murphy, Montana Water Resources Association

**Opponents' Testimony:** None

**Informational Testimony:**

02:17:14 Thomas Patton, Montana Mines and Geology

**Questions from Committee Members and Responses:**

02:17:33 Rep. Kasten  
02:22:46 Mr. Tubbs  
02:24:10 Rep. Sesso  
02:26:02 Rep. Furey  
02:27:05 Rep. Taylor  
02:27:25 Rep. Furey

**Closing by Sponsor:**

02:29:40 Rep. Furey

**HEARING ON HB 354**

**Opening Statement by Sponsor:**

02:30:41 Rep. Mary Caferro (D), HD 80, opened the hearing on HB 354, Expand services for deaf children in schools.

[EXHIBIT](#)(aph53a07)

**Proponents' Testimony:**

02:33:24 Cleo Klepzig, Montana City parent  
02:41:21 Lois Gilge, Havre parent  
02:43:26 Carl Schweitzer, Montana Association for the Blind  
02:45:34 Steve Gettel, Superintendent, Montana State School for the Deaf and Blind (MSDB)

[EXHIBIT](#)(aph53a08)

**Opponents' Testimony:** None

**Informational Testimony:**

02:49:40 Bob Runkel, Office of Public Instruction  
02:52:52 Chris Wilkenson, Legislative Fiscal Division

**Questions from Committee Members and Responses:**

02:54:17 Rep. Morgan  
02:59:00 Mr. Gettel  
03:00:38 Rep. Morgan  
03:01:31 Ms. Klepzig  
03:02:12 Rep. Franklin  
03:03:21 Mr. Gettel  
03:05:08 Rep. Jayne  
03:05:46 Mr. Runkel

**Closing by Sponsor:**

03:07:33 Rep. Caferro

**ADJOURNMENT**

Adjournment: 11:17 A.M.

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REP. JOHN SINRUD, Chairman

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LINDA KEIM, Secretary

JS/lk

Additional Exhibits:

**EXHIBIT ([aph53aad.pdf](#))**